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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/848,803

05/19/2004

Brian R. Parker

GEN10 P-439A

6236

28469

7590

02/05/2008

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EXAMINER

LOUIE, WAE LENNY

ART UNIT

PAPER NUMBER

3661

MAIL DATE

DELIVERY MODE

02/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/848,803	<b>Applicant(s)</b> PARKER ET AL.	
	<b>Examiner</b> WAE LOUIE	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/19/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/12/2004, 4/25/2005</u> .                                   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

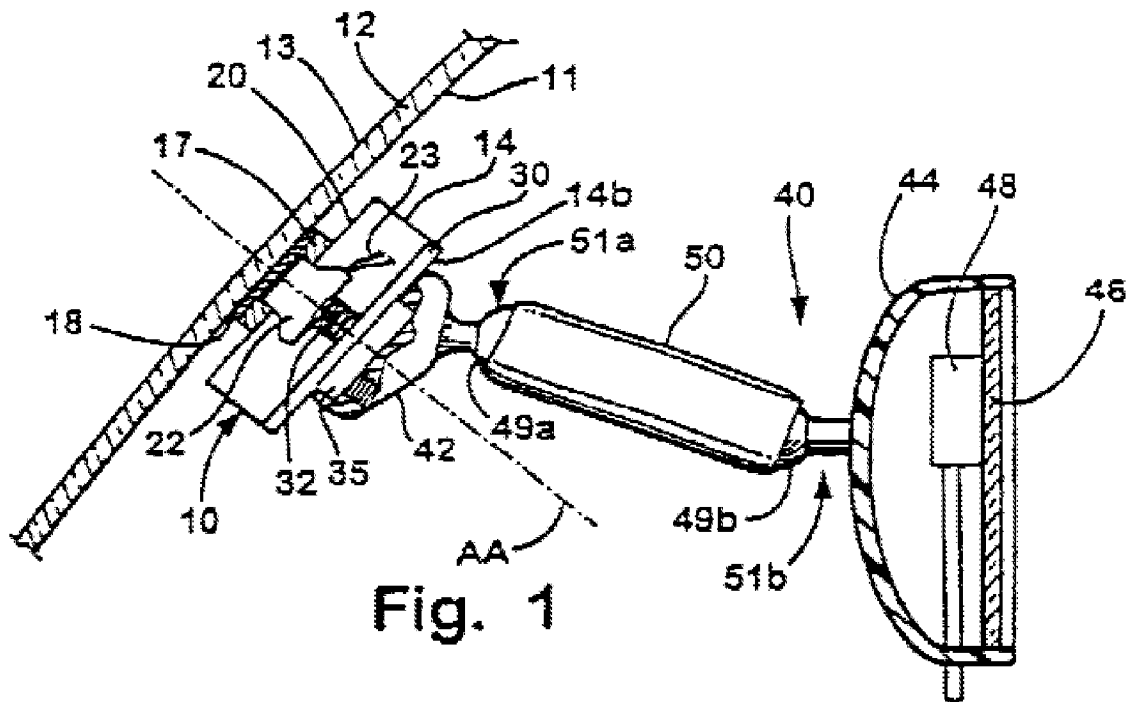
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Lynam (6,968,736).

Regarding applicant claims 1, 28, and 34, Lynam teaches a viewing system and sensing system for a vehicle having a windshield and a button connected comprising: a sensor (22) configured to be connected to the windshield (12) and be located adjacent the button (17) (col.6, lines1-35); and an interior rearview mirror system (40) configured to be connected to the button and to cover the sensor (10); the sensor being configured to be operatively coupled to the windshield independent of the interior rearview mirror system (col.6, lines 35-65); wherein at least a portion of the sensor is no longer operatively coupled to the windshield as the interior rearview mirror system is detached from the button (fig. 1).



Regarding applicant claims 2, Lynam teaches the sensor system comprising a first section and a second section where the first section is connected to the windshield and the second section being removably connected to the first section; and the second section is the at least the portion of the sensor whereby the first section remains operatively coupled to the windshield and the second section is no longer operatively coupled to the windshield as the interior rearview mirror system is detached from the button (col.7, lines 30-50, “housing 14 of rain sensor module assembly 10 is preferably releasably or removably mounted or attached to rain sensor mounting button 17 by attachment to solid portion 17a of rain sensor mounting button 17, for example by mechanical means such as by snap-on or twist-on attachment or, alternatively by a releasable adhesive layer”).

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Regarding applicant claims 2-6, and 7-9, 35, Lynam teaches interior rearview mirror system including facing ledges adapted to engage as the interior rearview mirror system is detached from the button, whereby the ledge of the interior rearview mirror system engages the ledge of the sensor as the interior rearview mirror system is detached from the button, whereby the at least the portion of the sensor is no longer operatively coupled to the windshield as the interior rearview mirror system is detached from the button (col.8,lines 30-55 "mirror assembly 40 comprises a double ball joint interior mirror assembly which is detachably mounted to mounting button 35... interior mirror assembly 40 will detach from button 35".

Regarding applicant claims 10-13, 26-27, Lynam teaches the interior rearview mirror system including: the entire sensor, sensor is configured to press against the windshield, the sensor is pressed against the windshield, coupled to the windshield (Rain sensor module assembly 10 is mounted to inner surface 11 of windshield 12 by a rain sensor mounting button 17).

Regarding applicant claim 14-25, 29-33, 36-48, Lynam teaches the interior rearview mirror system wherein the interior rearview mirror system comprises a mirror housing and a mounting bracket, the mounting bracket being configured to be connected to the button (col.6, lines 35-45, "rain sensor module assembly 10 includes a rain sensor unit 22"; col.8, lines 14-30, "Mounted to cabin facing side of housing is a mirror mounting button 35 for mounting a mirror assembly 40 to rain sensor module assembly 10").

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to WAE LOUIE whose telephone number is (571)272-5195. The examiner can normally be reached on M-F 0700-1530.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. L./  
Examiner, Art Unit 3661

/Thomas G. Black/  
Supervisory Patent Examiner, Art Unit 3661